



Docket No. J&J-5070

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Georgios Stamatas, Nikiforos Kollias

Serial No. : 10/650,581

Art Unit:

Filed : August 28, 2003

Examiner:

For : METHOD FOR ASSESSING PIGMENTED SKIN

I hereby certify that this correspondence is being deposited with the  
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March 30, 2004

(Date of Deposit)

William E. McGowan

(Name of applicant, assignee, or Registered Representative)



(Signature)

March 30, 2004

(Date of Signature)

Commissioner for Patents  
P.O. Box 1450  
Washington, D.C. 20231

**FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on August 28, 2003.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this

information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e) (attached);  
or

☐ Please charge Deposit Account No. 10-  
0750/ / the fee of \$180.00 as set forth in  
§1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached);  
or
- ☐ Please charge Deposit Account No. 10-  
0750/ / the fee of \$180.00 as set forth in  
§1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a) (2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because

this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☒ There are no listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows:

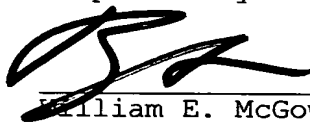
☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed .

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/J&J-5070/WEM. This form is submitted in triplicate.

Respectfully submitted,



William E. McGowan  
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Attorney for Applicants

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DATED: **March 30, 2004**



PTO/SB/08A (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
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| <b>Substitute for form 1449A/PTO</b><br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary)<br><b>Sheet 1 of 2</b> | <b>Application Number</b>     | 10/650,581 |
|  | <b>Filing Date</b>            | 08/28/2003 |
|  | <b>First Named Inventor</b>   | Stamatas   |
|  | <b>Group Art Unit</b>         |            |
|  | <b>Examiner Name</b>          |            |
|  | <b>Attorney Docket Number</b> | J&J-5070   |

| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|---|--------------------------|---|----------------|
| Examiner's<br>Initials*                           | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item<br>(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s),<br>publisher, city and/or country where published                                      | T <sup>2</sup> |
|   |                          | S.B. PARK, D.H. SUH, J.I. YOUN, A long-term time course of colorimetric evaluation of ultraviolet light-induced skin reactions, Experimental dermatology, 1999 Blackwell Science Ltd., Clinical and Experimental Dermatology, 24, 315-320.  |                |
|   |                          | JENNIFER K. WAGNER, CELINA JOVEL, HEATHER L. NORTON, ESTEBAN J. PARRA, MARK D.SHRIVER, Comparing Quantitative Measures of Erythema, Pigmentation and Skin Response using Reflectometry, (2002) Pigment Cell Res. 15: 379-384.   |                |
|   |                          | M. RAJADHYAKSHA, M. GROSSMAN, D. ESTEROWITZ, R. WEBB, R. ANDERSON, In Vivo Confocal Scanning Laser Microscopy of Human Skin: Melanin Provides Strong Contrast, The Society for Investigative Dermatology, Inc. vol.104,no.6,June 1995, pp.946-952.  |                |
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|   |                          | P.H. ANDERSEN, P. BJERRING, Noninvasive computerized analysis of skin chromophores in vivo by reflectance spectroscopy, publication dated 1991, Department of Dermatology, Marselisborg Hospital, Denmark, pp.249-257.  | P              |
|   |                          | A. Chardon, I. CRETOIS, C.HOURSEAU, Skin Colour Typology and Suntanning Pathways or Comparative Colorimetric Follow Up on Humans of the Tannings Induced by Cumulative Exposures to UVB, UVA and UVB_A Radiations, L'Oreal, RAD Clichy, France, 16 <sup>th</sup> IFSCC Congress, October, 1990, pp. 1-10. |                |
|   |                          | P.H. ANDERSEN, P. BJERRING, Spectral reflectance of human skin in vivo, publication dated October 3, 1989, Department of Dermatology, Marselisborg Hospital, Denmark, pp.5-12.  |                |
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|   |                          | P.H. ANDERSEN, Reflectance spectroscopic analysis of selected experimental dermatological models with emphasis on cutaneous vascular reactions, publication dated April 1997, Department of Dermatology Marselisborg Hospital, Denmark, pp. 1-58.   |                |
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|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 2

|                               |            |
|-------------------------------|------------|
| <b>Application Number</b>     | 10/650,581 |
| <b>Filing Date</b>            | 08/28/2003 |
| <b>First Named Inventor</b>   | Stamatas   |
| <b>Group Art Unit</b>         |            |
| <b>Examiner Name</b>          |            |
| <b>Attorney Docket Number</b> | J&J-5070   |

| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|---|--------------------------|---|----------------|
| Examiner's<br>Initials*                           | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published                  | T <sup>2</sup> |
|   |                          | R. GILLIES, W.D. TIAN, R. R. ANDERSON, L.A. DRAKE, N.KOLLIAS, Noninvasive Monitoring of Treatment Related Changes in Psoriatic Plaques Using Fluorescence Excitation and Diffuse Reflectance Spectroscopy, Biomedical Optical Spectroscopy and Diagnostics, 1998, pp. 113-115.. |                |
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|   |                          | L. BRANCALEON, G. LIN, N. KOLLIAS, The In Vivo Fluorescence of Tryptophan Moieties in Human Skin Increases with UV Exposure and is a Marker for Epidermal Proliferation, The Journal of Investigative Dermatology, vol. 113, no. 6, December 1999, pp.977-982.                  |                |
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|   |                          | N.KOLLIAS, R. SAYRE, L.Z., M. CHEDEKEL, Photoprotection by melanin, New Trends in Photobiology (Invited Review), J. Photochem. Photobio, B: Biol, 9 (1991)pp.135-160.   |                |
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